

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

STATE OF NEW YORK, et al.,

Plaintiffs,

v.

DONALD TRUMP, in his official capacity as
President of the United States, et al.,

Defendants.

Case No. 25-cv-11221-WGY

**SUPPLEMENTAL DECLARATION OF CHRISTOPHER KEARNS
ACTING ENERGY COMMISSIONER OF THE
RHODE ISLAND OFFICE OF ENERGY RESOURCES**

I, Christopher Kearns, declare of my personal knowledge as follows:

1. I am the Acting Energy Commissioner at the Rhode Island Office of Energy Resources (“OER”).

2. I am submitting this supplemental declaration in support of the State Plaintiffs’ motion for summary judgment, to advise the Court of relevant new factual developments pursuant to the Wind Memorandum that occurred simultaneously with the close of briefing on August 22, 2025, specifically the issuance of a stop work order to the fully-permitted and approximately 80% constructed Revolution Wind project in Long Island Sound. I offer this declaration in addition to my declaration of August 4, 2025. [ECF 174-18].

The August 22 Revolution Wind Stop Work Order

3. On August 22, 2025, the Bureau of Ocean Energy Management (BOEM) of the Department of the Interior (DOI) ordered Revolution Wind, LLC “to halt all ongoing activities related to the Revolution Wind Project on the outer continental shelf (OCS) to allow time for

[BOEM] to address concerns that have arisen *during the review that the Department is undertaking pursuant to the President's Memorandum of January 20, 2025*" (emphasis added) (hereinafter, "the Stop Work Order"). A true and accurate copy of the Stop Work Order is attached as **Exhibit 1**.

4. The Stop Work Order states that Revolution Wind "may not resume activities until BOEM informs you that BOEM has completed its necessary review." *Id.*

5. The indefinite halting of the Revolution Wind project, which BOEM claims in the Stop Work Order is being reviewed pursuant to the Wind Memorandum, provides only limited justification. BOEM states that the Stop Work Order is being issued to "ensure that all activities" are "carried out in a manner that provides for protection of the environment, among other requirements," and that it "is seeking to address concerns related to the protection of national security interests of the United States and prevention of interference with reasonable uses of the exclusive economic zone, the high seas, and the territorial seas, as described in that subsection of OCSLA." *Id.*

Rhode Island's Interest in Revolution Wind and Harm from the Stop Work Order

6. As described in my prior declaration, Rhode Island expects to receive 400 megawatts ("MW") from the Revolution Wind project, and as such, Rhode Island has a strong interest in the completion of the project.

7. Rhode Island's largest electric distribution company, Rhode Island Energy has a 20-year power purchase agreement with Orsted to purchase 400 MW from the 704 MW Revolution Wind project.

8. In May 2018, using its authority under the Rhode Island Affordable Clean Energy Security Act, Rhode Island Energy selected 400 MW from the Revolution Wind project in a

competitive solicitation. Connecticut selected the other 304 MW from Revolution Wind, for a total project size of 704 MW.

9. In Rhode Island, the Revolution Wind project entered into power purchase agreement contract negotiations with Rhode Island Energy in 2018. The resulting contract was submitted to the Rhode Island Public Utilities Commission (“RIPUC”) for review and approval. RIPUC approved the contract in Docket No. 4929 in 2019. Connecticut’s utility regulator separately approved that state’s 304 MW contract with Revolution Wind.

10. As of August 22, 2025, the Revolution Wind project was fully under construction, both onshore in Rhode Island and within state and federal waters. The project is already approximately 80% complete with equipment for 506 MW of the 704 MW system installed. All 65 of the offshore wind turbine monopile foundations have been installed, and 70% of the wind turbines (45 of 65) are installed on the monopile foundations. The submerged array cables have been installed at 34 of the 65 wind turbine sites. The utility export cable has 84 of the 85 miles installed. One of the two offshore wind utility substations on a monopile foundation has been installed in federal waters. Over 90% of the physical construction has been substantially completed at the mainland interconnection site at the Quonset Development Business Park in North Kingstown, Rhode Island where the power will be delivered into the energy system from the Revolution Wind project.

11. Following some nine years of careful review, the Revolution Wind project is fully permitted at the state and federal levels. Final approval of its Construction and Operations Plan (“COP”) was completed by BOEM in 2023. The project began offshore construction in 2024 and has been expecting to begin delivering power in the second half of 2026.

12. Revolution Wind's 704 MW of power is significant, representing approximately 2.5% of New England's electricity load. Losing the 704MW of load would negatively impact reliability in Rhode Island and throughout New England. In response to the Stop Work Order, ISO New England issued a press release on August 25, 2025 explaining that delays to the project will increase reliability risks in the region, and noting that "New England must maintain and add to its energy infrastructure." ISO Newswire, *ISO-NE statement on Revolution Wind stop work order*, Aug. 25, 2025, <https://tinyurl.com/3fa9fukm>.

13. Offshore wind generates most of its power in the winter, when demand for natural gas increases given heating and electricity generation needs within the region. Wind energy helps prevent fuel shortages, helps combat volatile pricing, and strengthens reliability on the grid.

14. The Revolution Wind Project represents significant economic development for Rhode Island, directly supporting more than 1,000 union construction jobs and creating a pipeline of long-term operations and maintenance careers tied to the state's growing ocean economy. The project and industry have already generated substantial port activity, with over 300 offshore wind-specific vessel calls to the Port of Providence in 2024, highlighting Rhode Island's role as a logistics hub. In parallel, the state has cultivated a growing cluster of offshore wind companies at CIC Providence, which serves as a soft-landing destination for the largely European supply chain entering the U.S. market. Together, these investments have catalyzed infrastructure upgrades at ProvPort and Quonset, secured new supply chain commitments, and positioned Rhode Island as a leader in attracting global ocean economy companies.

15. The Stop Work Order does not identify specific environmental or national security concerns that have arisen during its review of the Revolution Wind project pursuant to the Wind

Memorandum. It also does not indicate any timeline for resolution, despite the highly time-sensitive nature of the project at this late stage.

16. Revolution Wind has been thoroughly studied by both federal and state regulators over a decade and has received all its required federal and state permits, including final approval of its COP by BOEM in 2023. BOEM's approval of a COP includes thorough environmental review and review to ensure the offshore wind project will not unreasonably interfere with other uses of the outer continental shelf, including those involved with national security or defense. As documented in the COP, development of Revolution Wind's COP involved meetings with relevant agencies, including the U.S. Coast Guard, U.S. Naval Undersea Warfare Center, U.S. Air Force, North American Aerospace Defense Command, U.S. Army Corps of Engineers, and Federal Aviation Administration. BOEM's COP approval for Revolution Wind includes numerous conditions, including to ensure protection of national security and environmental interests.

17. Continued delay to the Revolution Wind project's becoming operational and supplying 400 MW to Rhode Island stands to significantly harm Rhode Island's efforts to comply with its state statutory requirements to reduce statewide greenhouse gas emissions and achieve net zero by 2050. Additionally, the project contributes greatly to the state's ability to comply with its legal obligation to achieve continually increasing renewable energy on the path to achieving 100% renewable energy by 2033.

18. The invocation of the Wind Memorandum to issue a Stop Work Order for the fully-permitted Revolution Wind project as it nears completion will harm Rhode Island, its residents, our strong labor workforce, and our offshore wind and related industries. Moreover, it will harm our efforts to diversify our energy system and increase reliability.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Providence, RI on August 28, 2025.

A handwritten signature in black ink, reading "Chris Kearns", is positioned above a horizontal line. The signature is written in a cursive, slightly stylized font. The horizontal line extends to the right, ending in a small vertical tick mark.

Christopher Kearns

Acting Energy Commissioner
Rhode Island Office of Energy Resources